

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MIGUEL CABRERA,</b>	:	<b>CIVIL ACTION NO. 1:10-CV-1821</b>
	:	
<b>Petitioner,</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>WILLIAM A. SCISM, WARDEN OF</b>	:	
<b>ALLENWOOD LSCI,</b>	:	
	:	
<b>Respondent</b>	:	

**ORDER**

AND NOW, this 3rd day of November, 2010, upon consideration of petitioner's motion for reconsideration (Doc. 14) of this court's order of August 31, 2010 (Doc. 5), dismissing his petition for writ of habeas corpus (Doc. 1), and because the purpose of a motion for reconsideration is to correct manifest errors of law or fact or to present newly discovered evidence, Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3d Cir. 1985), and it appearing that, in arguing that the court erred in concluding that it lacked jurisdiction over the petition because the claims contained therein fell within the purview of § 2255, petitioner fails to set forth any of the grounds that would warrant reconsideration, North River Ins. Co. v. Cigna Reinsurance Co., 52 F.3d 1194, 1218 (3d Cir. 1995) (citations omitted) ("A proper motion to alter or amend judgment must rely on one of three major grounds: '(1) an intervening change in controlling law; (2) the availability of new evidence [not available previously]; [or], (3) the need to correct clear error [of law] or prevent manifest injustice.'"), but, rather, disagrees with the manner in which the court

disposed of the matter, see Drysdale v. Woerth, 153 F. Supp. 2d 678, 682 (E.D.Pa. 2001)(finding that a motion for reconsideration may not be used as a means to reargue unsuccessful theories, or argue new facts or issues that were not presented to the court in the context of the matter previously decided), see also, Continental Cas. Co. v. Diversified Indus., Inc., 884 F. Supp. 937, 943 (E.D.Pa. 1995) (stating that “[b]ecause federal courts have a strong interest in the finality of judgments, motions for reconsideration should be granted sparingly.”), it is hereby ORDERED that plaintiff’s motion for reconsideration (Doc. 7) is DENIED.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge